

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Nikola Corporation,

Plaintiff,

v.

EMBR Motors Incorporated, et al.,

Defendants.

No. CV-24-00690-PHX-DWL

**ORDER**

Plaintiff has filed a notice of voluntary dismissal without prejudice of the remaining two defendants, M&M Residual, LLC and Trevor R. Milton, who have not served either an answer or a motion for summary judgment and can be dismissed without a court order pursuant to Rule 41(a)(1)(A)(i). Because the voluntary dismissal of these defendants will leave no remaining defendants in this action, the action can be terminated. Because there is no need to withdraw as counsel for parties who have been dismissed from an action, the pending motion to withdraw (Doc. 31) is moot.

Accordingly,

**IT IS ORDERED** that after processing the notice of voluntary dismissal (Doc. 32), the Clerk of Court shall terminate this action.

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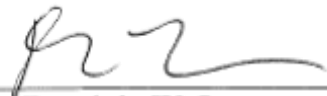
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1           **IT IS FURTHER ORDERED** that all pending motions, including the motion for  
2 preliminary injunction (Doc. 13) and the motion to withdraw as attorney (Doc. 31) are  
3 denied as moot.

4           Dated this 2nd day of May, 2024.

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9           Dominic W. Lanza  
10           United States District Judge  
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